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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/632,844	08/04/2003	Toshi Saeki	SUG-017-USA-P	5062
27955	7590	09/08/2006		
TOWNSEND & BANTA c/o PORTFOLIO IP PO BOX 52050 MINNEAPOLIS, MN 55402				EXAMINER HUSON, MONICA ANNE
				ART UNIT 1732 PAPER NUMBER

DATE MAILED: 09/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/632,844	SAEKI ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Monica A. Huson	1732	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 15 June 2006.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 10-12 and 14-19 is/are pending in the application.  
 4a) Of the above claim(s) 14-19 is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 10-12 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 04 August 2003 is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
     1. Certified copies of the priority documents have been received.  
     2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
     3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____ .                                    |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>040306</u> .  | 6) <input type="checkbox"/> Other: _____ .                        |

## **DETAILED ACTION**

This office action is in response to the Amendment filed 15 June 2006.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –  
(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 10 is rejected under 35 U.S.C. 102(b) as being anticipated by von Buren et al. (U.S. Patent 5,040,969). von Buren et al., hereafter “von Buren,” show that it is known to carry out an injection molding method (Abstract), said method comprising moving an injection portion along a line of a plurality of resin supplying ports in communication with a cavity, while injecting molten resin from the injection portion into the resin supplying ports, so as to supply the molten resin to the cavity (Column 2, lines 44-50), wherein the molten resin is sequentially injected into the resin supplying ports at a low injection pressure by moving the injection portion from one resin supplying port to the next resin supplying port, thereby injecting molten resin to all the resin supplying ports in a sequential manner (Column 1, lines 61-68).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over von Buren, in view of Makinson et al. (U.S. Patent 4,124,343).

Regarding Claim 11, von Buren shows the process as claimed as discussed in the rejection of Claim 10 above, but he does not specifically show vertical movement of the injection portion. Makinson et al., hereafter "Makinson," show that it is known to carry out a method wherein, during injection of the molten resin into the cavity, said injection portion moves from a resin supplying port disposed at a low elevation end of the line of a plurality of resin supplying ports to a resin supplying port disposed at an upper elevation of the plurality of resin supplying ports, which are arranged in a vertical direction (Column 3, lines 33-44, 51-61). Makinson and von Buren are combinable because they are concerned with a similar technical field, namely, methods of sequential injection molding. It would have been *prima facie* obvious to one of ordinary skill in the art at the time the invention was made to use Makinson's vertical movement suggestion during von Buren's molding method in order to conserve square footage of the molding machine.

Regarding Claim 12, von Buren shows the process as claimed as discussed in the rejection of Claim 10 above, including a method wherein, upon termination of injection of the molten resin at the one resin supplying port, said injection portion moves to the next resin supplying port in the line of plurality of resin supplying ports (Column 1, lines 61-67; Column 2, lines 44-50). von Buren does not specifically show using a detection sensor in the cavity. Makinson shows that it is known to carry out a method wherein the injection of said molten resin from said injection portion to one resin supplying port is terminated by a detection sensor in communication with the injection portion and disposed in a predetermined position of said cavity for detecting a charging amount of the molten resin (Column 5, lines 3-29; Column 8, lines

31-46). It would have been prima facie obvious to one of ordinary skill in the art at the time the invention was made to use Makinson's sensor during von Buren's molding method in order to avoid overfilling or underfilling of the mold cavity.

***Response to Arguments***

Applicant's arguments with respect to claims 10-13 and 20 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Monica A. Huson whose telephone number is 571-272-1198. The examiner can normally be reached on Monday-Friday 6:45am-3:15pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christina Johnson can be reached on 571-272-1176.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

*Monica A Huson*  
Monica A Huson

September 5, 2006

*CH*  
CHRISTINA JOHNSON  
PRIMARY EXAMINER  
*9/5/06*